

REMARKS

Claims 1-24 are pending. By this Amendment, claims 1, 9, and 17 are amended, no claims are cancelled, and no new claims are added.

Claim Rejections Under 35 USC § 101

Claims 17-24 were rejected as being directed to non-statutory subject matter.

First, with respect to the rejection of claims 17-24 based on 35 USC § 101, applicant has amended independent claim 17, from which claims 18-24 depend, to reflect the claim language suggested by the Examiner. The preamble to claim 17 now recites “A computer program stored on a computer-readable medium”, and claims 17-24 are now believed to be directed to statutory subject matter in accordance with 35 USC § 101.

Claim Rejections 35 USC § 103(a)

Claims 1-6, 9-14 and 17-22 were rejected as obvious over Taubman ‘709 in view of Bacus ‘372.

Claims 7, 15, and 23 were rejected as obvious over Taubman ‘709 in view of Bacus ‘372 and further in view of Burns ‘446.

Claims 8, 16 and 24 were rejected as obvious over Taubman ‘709 in view of Bacus ‘372 and further in view of Bacus ‘392.

Applicant respectfully traverses each of the aforementioned rejections.

Applicant disputes Examiner's application of the Taubman reference, including the assertion found in the previous office action that Taubman teaches:

and at the first location, applying image analysis operations to a region of the source image corresponding to the selected region of the decompressed medical image.

First, image analysis operations are not performed in the Taubman reference. Applicant's disclosure discusses image analysis operations stating "Unlike other types of image processing, image analysis operations are not used to manipulate or produce another image from a subject image, but rather to analyze the information in the subject image to produce a 'non-image' result, such as a fixed number (or "score"), often falling within a predetermined range." See paragraph [0006]. Simply having the server receive a request from the client and respond by sending corresponding blocks of region of interest to the client, as Taubman does, does not teach applicant's invention.

Further, there is no motivation suggested to undergo such analysis. To the extent that any type of analysis is performed on any image in Taubman, such activities are certainly not medical diagnostic analysis operations of the type taught in applicant's disclosure. Therefore, to clarify any confusion regarding image analysis operations, applicant has amended each of the three independent claims 1, 9, and 17 of the present application to clarify that image operations at the first location are analysis operations "for diagnostic purposes."


Moreover, the teachings of Taubman and Bacus entirely miss applicant's point of performing such image analysis at the first location. In applicant's invention, medical analysis of the original image is carried out at the first location such that the original medical image need not be sent outside the first location. This is advantageous as the image does not need to be copied or transferred for purposes of the medical analysis and therefore image data will not be potentially altered by such a transmission process.

The amendments made herein are not to be construed as Applicant's acquiescence in the substance of the claim rejections, in the characterization of the cited references, in the characterization of the claims of the present application, or any in other statements contained in the Office Action. Applicant specifically reserves the right to present claims similar or identical in form and substance to any or all of the claims pending prior to the present amendment, and to present other claims having the same or broader scope in a subsequent application.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,


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